

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

265

**C.R.M-M No.15241 of 2015
Date of Decision : 17.08.2016**

Malkit Singh and another Petitioners

versus

State of Punjab and others Respondents

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. R.K. Arya, Advocate
for the petitioners.

Mr. K.S. Pannu, D.A.G., Punjab.

Ms. Rajneet Kaur, Advocate
for Mr. S.S. Kainth, Advocate
for respondent Nos.2 & 3.

AJAY TEWARI, J. (Oral)

This petition has been filed under Section 482 Cr.P.C. for
quashing of FIR No.40 dated 20.03.2014, registered under Sections 323,
324, 34 IPC and Section 326 IPC (added later on), at Police Station

Matour, District SAS Nagar and all consequential proceedings arising

therefrom on the basis of compromise between the parties.

On 11.03.2016 the following order was passed:-

“Pursuant to order dated 14.07.2015, report from the trial Court has been received. However, it has been pointed out by learned State Counsel that investigation in the matter is still pending. Under the circumstances, it is directed that investigating agency shall be at liberty to complete the investigation and submit its final report under Section 173 Cr.P.C. Copy thereof be produced before this Court as well.

Adjourned to 23.5.2016.”

In the report, the Judicial Magistrate Ist Class has mentioned that the aforesaid parties have appeared before him and has attested to the fact that a compromise has indeed taken place and that the compromise has been executed voluntarily and without any pressure.

The Hon'ble Supreme Court in **Gian Singh v. State of Punjab and another** reported as 2012(4) RCR(Criminal) 543 has discussed in detail the inherent powers of High Court in quashing a criminal proceeding or FIR or complaint where the parties have entered into compromise except the cases which involve offences such as murder, rape dacoity etc. as such offences are not private in nature and have serious impact on society.

considered opinion that continuation of criminal proceedings between the parties would be an abuse of the process of law and though no report under Section 173 Cr.P.C. has been received but the present compromise is for their benefit and will bring peace and harmony between them.

Consequently, this petition is allowed and the above said FIR and all consequential proceedings arising therefrom are quashed qua petitioners.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

August 17, 2016
ashish

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No